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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MATTHEW DENESUK AND EUGENIE V. UHLMANN

For: MICROBE-INHIBITING TEXTILE-BASED AMUSEMENT ARTICLES FOR PETS

Serial No.: 09/872,500 Examiner: Thomas Price

Filed: June 1, 2001 Group Art Unit: 3643

Atty. Docket: 70961-26 Confirmation No.: 2079

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RESPONSE TO OFFICE ACTION

This paper is responsive to the Office Action mailed April 22, 2002.

In the Office Action, restriction was required under 35 U.S.C. § 121:

- Group I - Claims 19-22 and 32-58 drawn to an amusement article, and
- Group II - Claims 23-31 drawn to a process for imparting microbe-inhibiting properties.

The restriction requirement is respectfully traversed. The Examiner has not made a showing that the claimed process of claims 23-31 can be used to apply a microbe-inhibiting agent to other types of toys. Applicants believe that the contrary is true.

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However, responsive to the restriction requirement, Applicants provisionally elect Group I, claims 19-22 and 32-58 drawn to an amusement article. These claims include claims 32-39 which relate to a process for imparting a microbe-inhibiting property to a pet article.

The Examiner has further required a restriction as to Group I claims as follows:

- Claims 19-22 and 47-49, drawn to the combination of non-woven material and a microbe-inhibiting agent, and
- Claims 40-44, drawn to the subcombination, an article with a high loft, low-density fibrous material, and
- Claims 45, 46, and 56-58, drawn to the subcombination, an article with a high-pile component attached to a backing material.

This restriction requirement is respectfully traversed.

Applicants note that the Examiner has not included in the second restriction requirement claims 50-55, which are dependent on claim 23. It is believed that the Examiner intended to include claims 50-55 in the Examiner's Group II in the initial restriction requirement, with claims 23-31.

Applicants provisionally elect the Examiner's Group III, to claims 45, 46 and 56-58, in the second restriction requirement, drawn to an article with a high-pile component attached to a backing material.

An action on the merits is respectfully requested.

Respectfully submitted,

MATTHEW DENESUK AND EUGENIE V. UHLMANN

Dated: 5.14.02

By: JEM

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